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United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

February 1985

# Compilation of Meat and Poultry Inspection Issuances





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The period covered in this issuance is December 7, 1984 to February 6, 1985.





UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, D.C.

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# FSIS DIRECTIVE

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5730.1

2/6/85

## AUTHORIZATION OF STATE EMPLOYEES TO PERFORM FEDERAL INSPECTION

### I. PURPOSE

This Directive sets forth the FSIS policy and procedures for authorizing State employees to perform inspection duties in Federal plants.

### II. CANCELLATION

Discontinue use of CP(CPPS) Instruction 923-1, and MPI Directive 923.2.

### III. REASON FOR REISSUANCE

To update FSIS procedures for authorization of State employees to perform Federal inspection.

### IV. AUTHORITY

A. Section 301 of the FMIA (21 U.S.C. 661) and Section 5 of the PPIA (21 U.S.C. 454), as amended, and the regulations promulgated thereunder, require that State inspection programs be at least equal to the requirements of these Acts.

B. Talmadge-Aiken Act of 1962 (7 U.S.C. 450) provides for utilizing State employees to conduct inspection in Federal plants.

C. Cooperative Agreements signed by USDA and the State provide for cross utilizing State employees in Federal assignments on a temporary basis and to staff Federal plants with State employees on a permanent or full-time basis.

D. Hatch Political Activities Act of August 2, 1939, as amended, 5 U.S.C. 118; applies Federal political activity restrictions to State and local employees whose principal employment is with an activity financed in whole or in part by Federal loans or grants.

E. Federal Personnel Manual Supplement 990-1, Chapter 15, Section 1502, outlines OPM policy regarding Hatch Act restrictions.

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**DISTRIBUTION:** All MPI Offices; T/A Inspectors, Plant Management; T/A Plant Management; Science and Compliance Offices      **OPI:** Meat and Poultry Inspection Operations  
FSR

## V. FORMS AND ABBREVIATIONS

The following will appear as abbreviated in this directive:

MPIO	Meat and Poultry Inspection Operations
FMIA	Federal Meat Inspection Act
PPIA	Poultry Products Inspection Act
VMO	Veterinary Medical Officer
DVM	Doctor of Veterinary Medicine
OPM	Office of Personnel Management
OIG	Office of the Inspector General
FBI	Federal Bureau of Investigation

MP Form 472	Request for Federal Approval of State Employee Under Cooperative Agreement
Authorization Card	FSIS Form 1000-1
FSIS Form 1234-1	Bribery Reporting Card

FSQS Form 1000-1 and MP Form 472 have been revised to change the Agency name from Food Safety and Quality Service and Animal and Plant Health Inspection Service respectively to Food Safety and Inspection Service. Existing forms may be used until supplies are exhausted.

## VI. POLICY

A. FSIS policy is to ensure that meat and poultry products produced under inspection are wholesome, not adulterated and properly marked, labeled, and packaged. This policy requires that the meat and poultry products be produced in a plant and with equipment which is sanitary and properly maintained.

B. FSIS recognizes the advantages; i.e., economy and efficiency, in the utilization of State personnel in performing meat and poultry inspection functions in Federal plants.

C. All State program supervisors, veterinarians, and food inspectors who conduct inspection in accordance with the provisions of the pertinent Cooperative Agreement must hold a current and valid Federal **Authorization Card** for the item, function, or activity inspected, as provided in Section IX of this Directive.

D. State employees issued **Authorization Cards** will be reevaluated at least every 3 years to ensure that they remain proficient in conducting required inspection procedures pursuant to Sections IX and X of this Directive.

## VII. [RESERVED]

## VIII. RESPONSIBILITIES

A. Regional Director, or designee, will be responsible to:



1. Evaluate the work performance of the State employee and issue Authorization Cards to those State employees who meet the standards set forth in Section IX of this Directive.

2. Reevaluate the work performance of State employees that have been issued Authorization Cards at least every 3 years to ensure that they continue to be proficient in performing the required inspection procedures and duties pursuant to Sections IX and X of this directive. State employees found to continue to be proficient will retain the Authorization Card.

3. Suspend or revoke the Authorization Card of a State employee in accordance with Attachment 4 of this directive.

B. State officials will ensure that:

1. The recommended employees have been properly trained and meet all other requirements.

2. The replacement personnel for annual, sick or other absences also have the required Authorization Card.

3. The number of personnel authorized to conduct inspection in Federal plants is sufficient to meet the needs of the Program.

4. The proficiency in performing inspection procedures and duties of employees issued Authorization Cards is maintained.

#### IX. REQUIREMENTS FOR ISSUING AUTHORIZATION CARDS

A. The State employee must have received all required training given at a Federal training center or equivalent courses given within the State. This would include on-the-job training in State or Federal plants. They must also be trained in the specific areas to which the employee will be assigned.

B. The State employee must have the same color vision as required by FSIS employees for the performance of meat and poultry inspection work. Any associated expenses in obtaining this certification must be assumed by the State Agency or the State employee.

C. Employee who is employed as a veterinarian must meet the Federal Qualification Standards (Attachment 3).

D. Foreign-educated veterinarians must demonstrate sufficient listening comprehension and skill in oral expression in English to perform the required duties as provided in the Federal Qualification Standards (Attachment 3).

#### X. PROCEDURES FOR ISSUING AND/OR SUSPENDING OR REVOKING AUTHORIZATION CARDS

A. Issuing Authorization Cards -- Completion and Distribution of MP Form 472.

1. When a State agency requests Federal approval of a State employee to perform inspection activities, the State agency shall complete the obverse side of the MP Form 472, in triplicate, and forward it to the appropriate regional director.

2. The Regional Director, or designee, shall:

a. Determine that the State agency has properly completed MP Form 472 and that the applicant meets the requirements contained in Section IX of this Directive. As necessary, return the form to the State agency for appropriate correction, or append appropriate supplementary instructions for the Area Supervisor.

b. Forward triplicate copy to the Area Supervisor for completion of the evaluation of on-the-job observation. Any supplementary instructions will be forwarded with the form.

c. Upon receipt of triplicate copy by regional director from the Area Supervisor, complete all copies of the MP Form 472 indicating approval or disapproval. Reasons for disapproval must be documented.

d. Not normally grant approval for more than the State agency has requested.

e. Return completed duplicate copy of MP Form 472 to the State Agency, accompanied by the Authorization Card, if appropriate.

f. Retain original and triplicate copy of MP Form 472.

B. Completing and Issuing Authorization Cards

1. The face of the Authorization Card shall be completed by the regional director or designee in accordance with the spaces provided thereon, and shall be signed by the regional director or designee as "Authorizing Official."

a. The expiration date must be shown on all cards and shall not exceed 3 years from date of issuance.

b. The State agency responsible for issuing the Authorization Card to inspectors shall be advised to require the card holder's signature in the space along the left margin of the face of the Authorization Card.

c. The State agency shall advise inspectors to have the Authorization Card in their possession while at an establishment.

2. The reverse side of the Authorization Card must show:

a. The legal authority as follows: "Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), (Name of State Employee) is authorized to perform inspection as indicated below."



b. Immediately below the legal authority, in capital letters, one of the following terms as applicable: "VETERINARIAN" or "FOOD INSPECTOR."

c. A clear and precise recording of the item, function and/or activity which may be inspected under authority of the Authorization Card. The item, function and/or authority recorded here must be consistent with the substance of the approval on the related MP Form 472.

(1) Either or both of the terms "Slaughter" and "Processed Food" must be shown, as appropriate.

(2) Observing the further breakdown of functions, species, and processes shown on MP Form 472, the exact coverage of the Authorization Card should be defined as clearly as possible, with limitations expressed in definite terms.

(3) Such terms as "full," "all," "only," "except," and "limited to," may be used as long as they contribute to a clear definition of the authority granted. Rubber stamps may be used, if desired. In most cases a few words, carefully constructed, can be used to record the exact authority conveyed by the Authorization Card. Several examples are provided in Attachment 2.

3. The Regional Office shall forward the Authorization Card with the duplicate copy of MP Form 472 to the State Agency.

4. Authorization Cards shall be valid until suspended, cancelled, revoked or expired. The Authorization Card must be returned to the immediate Federal supervisor when services are discontinued or authorization is revoked.

#### 5. Accountability

a. Records. Regional offices shall maintain accountability records to show the current status of all Authorization Cards for which they are responsible. The records shall include information as follows:

- (1) Number of Authorization Cards on hand and unissued.
- (2) Authorization Cards issued, by number, and names of employees to whom issued.
- (3) Authorization Cards reported as lost or stolen.
- (4) Authorization Cards cancelled or destroyed.
- (5) Date that Authorization Card holder must be reevaluated.

b. **Clearance of Accountability.** Regional Office shall:

(1) **Ensure that Authorization Cards are returned when:**

(a) Card is suspended or revoked by Federal agency action.

(b) State employment is terminated.

(c) Employee's services are no longer required.

(d) An **Authorization Card** is replaced by a new card which adds or deletes specific duties.

(e) Employee is placed in a nonpay status for more than 1 year for leave without pay or furlough.

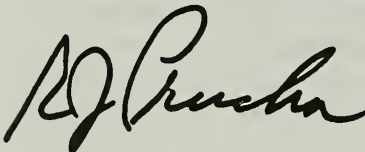
(f) A temporary licensing period expires.

(2) **Destroy returned Authorization Cards.**

(3) **Instruct card holder to report the loss or theft of Authorization Cards promptly.**

c. **Suspension and/or Revocation of Authorization Card.**

The reverse side of the original of MP Form 472 shall be completed by the regional director or his designee for suspension and/or revocation of an **Authorization Card**. The guidelines for suspension and/or revocation are provided in Attachment 4.



Deputy Administrator  
Meat and Poultry Inspection Operations

**Attachments**

1. MP Form 472, Request For Federal Approval of State Employee Under Cooperative Agreement
2. FSIS Form 1000-1, Authorization Card
3. Federal Qualification Standards
4. Guidelines Relating to Suspension and/or Revocation of Authorization Card





FSIS DIRECTIVE 5730.1  
Attachment 1

SUSPENSIONS AND/OR REVOCATIONS	STATE	NAME OF STATE EMPLOYEE
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First Suspension:

DATE	FEDERAL AGENCY REPRESENTATIVE	DATE	STATE AGENCY REPRESENTATIVE
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Second Suspension:

DATE	FEDERAL AGENCY REPRESENTATIVE	DATE	STATE AGENCY REPRESENTATIVE
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Third Suspension:

DATE	FEDERAL AGENCY REPRESENTATIVE	DATE	STATE AGENCY REPRESENTATIVE
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Revocation:

DATE	FEDERAL AGENCY REPRESENTATIVE	DATE	STATE AGENCY REPRESENTATIVE
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MP FORM 472 (Reverse)

**U.S. DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE**

**AUTHORIZATION  
CARD**

**FSIS DIRECTIVE 5730.1  
Attachment 2**

<b>AUTHORIZATION OR LICENSE NO.</b> <b>A-</b>	<b>DATE OF ISSUANCE</b>	<b>EXPIRATION DATE</b>
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**THIS CERTIFIES THAT**

whose signature appears hereon, is authorized to perform the duties or services indicated on the back of this card, under regulations issued pursuant to applicable law.

**SIGNATURE OF AUTHORIZING OFFICIAL**

**TITLE**

**DIVISION**

**SIGNATURE**

FSIS FORM 1000-1 (8/84) Replaces FSIS Form 1000-1 (1/79), which may be used until exhausted.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**VETERINARIAN**

Slaughter:  
Ante-Mortem  
Post-Mortem

(Full)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**VETERINARIAN**

Slaughter:  
Ante-Mortem  
Post-Mortem

(Limited to Poultry)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**VETERINARIAN**

Slaughter:  
Ante-Mortem  
Post-Mortem

(Limited to Cattle, Sheep, Swine, and Poultry)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**FOOD INSPECTOR**

Processed Food:  
Boning and Cutting  
Curing and Smoking  
Canning

(Meat and Poultry)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**FOOD INSPECTOR**

Slaughter:  
Ante-Mortem  
Post-Mortem

(Limited to Poultry)

Processed Food:  
All Categories

(Limited to Poultry)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.

**DUTIES ASSIGNED  
AND LEGAL AUTHORITY:**

Pursuant to the Federal-State Cooperative Act (7 U.S.C. 450) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and/or the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), authorized to perform inspection as indicated below:

**FOOD INSPECTOR**

Slaughter:  
Ante-Mortem  
Post-Mortem

(Limited to Cattle, Sheep, Swine, and Poultry)

Processed Food:  
All Categories Except Sausage  
Manufacture

(Limited to Meat)

This card must be returned to your immediate Federal Supervisor if your services are discontinued or if the authorization is revoked.



## FEDERAL QUALIFICATION STANDARDS

### Determination of Professional Status of State-employed Veterinarians

State agency requests for Federal approval for training or licensing of a State employee as a VMO will be handled as follows:

1. State agency certification requirements must be at least equal to the certification requirements for FSIS VMOs. If the State agency certifies that it has satisfied itself as to the employee's professional credentials, the State determination will be accepted.
2. If the State agency certifies that it has not satisfied itself as to the employee's professional credentials, the following standards will be applied by the regional director. (These standards pertain to professional status only and have no necessary relation to the practical on-the-job evaluation which must also be applied.)

### Minimum Education Requirements

Candidates must show successful completion of a full course of study leading to a degree as a DVM or equivalent at an accredited or approved veterinary medical school. These requirements also may be satisfied when candidates submit positive evidence of possession of equivalent qualification through recognition, certification, or approval by one of the following qualifying organizations in the United States.

1. A department of higher education of one of the 50 States.
2. An accredited or approved veterinary medical school (i.e., by acceptance of completed DVM or equivalent degree work for advanced degree work).
3. A Board of Veterinary Medical Examiners of one of the 50 States.

Graduates of foreign veterinary medical schools who do not meet the requirements specified above must furnish proof of all of the following:

1. Graduation from a veterinary medical school.
2. Having passed the written examination in veterinary medicine of the Educational Commission on Foreign Veterinary Graduates or the U.S. National Board of Veterinary Medical Examiners.
3. Professional status from OPM.



4. Comprehension and ability to communicate in the English language. This requirement may be met by:

a. Achieving a total score on the Test of English, (provided by the American Veterinary Medical Association) as a Foreign Language, of at least 550 with a listening comprehension score of at least 60 points, or

b. Having earned an undergraduate or advanced degree (i.e., an MS or PH.D.) at a U.S. college or university, or

c. Having graduated from a U.S. or Canadian English speaking high school.



GUIDELINES RELATING TO SUSPENSION AND/OR REVOCATION  
OF AUTHORIZATION CARD UNDER  
FEDERAL-STATE COOPERATIVE MEAT AND POULTRY INSPECTION PROGRAM

**Suspension or revocation of approval:** Approval of a State employee under this agreement may be suspended by the Federal agency at any time when the Federal agency finds that such employee is no longer qualified to carry out responsibilities as an approved inspector pursuant to the guidelines set forth herein.

"Approval" is evidenced by issuance of an **Authorization Card** to a State employee. The card authorizes the employee to conduct inspections under the provisions of the cooperative agreement. Suspension and/or withdrawal of approval means suspension and/or withdrawal of the card. A State employee cannot perform under the cooperative agreement while the card is suspended or if it is withdrawn.

The purpose of this attachment is to provide more specific information about the kinds of performance and conduct which will be considered in determining whether approval of a card holder should be suspended or revoked.

The basic consideration is whether or not the card holder is qualified to carry out responsibilities as an approved inspector under the provisions of the cooperative agreement. It may become necessary to negate the original affirmative decision, on either a temporary or permanent basis, as the card holder goes about the work. Qualifications to perform as required can be impaired or destroyed, of course, by failure to carry out the required professional or technical tasks involved in the actual inspection of meat, meat food products, poultry or poultry products, as assigned. A card holder can just as surely impair or destroy the effectiveness ("qualifications") by engaging in conduct which tends to compromise the authority for carrying out all assigned aspects of this sensitive regulatory function.

Individual decisions will be made (as necessary), in the light of individual circumstances, by responsible Federal agency representatives after consultation with appropriate State agency representatives. Federal agency action will deal strictly with whether the approval and **Authorization Card** should be continued, suspended or withdrawn. Suspension or revocation of Federal approval will provide for an opportunity for the card holder to respond to charges, as set forth in paragraph C of this attachment. The suspension or withdrawal of an **Authorization Card** does not change the status of the individual involved as a State employee. Any disciplinary removal or other personnel action which the State may find appropriate will be for State determination and should be carried out in accordance with any State procedures which may apply.

Action to permanently withdraw approval may be taken in connection with any suspension, depending upon the seriousness of the situation. Some situations such as bribery will be considered serious enough to revoke approval, where as other minor situations may only result in a suspension. Three suspensions will automatically result in **Authorization Card** revocation. As appropriate in individual circumstances, Federal training may be decided upon as the necessary course of action.

Most State employees will perform their assigned work, and conduct themselves in such a manner, as to remain qualified. Only rarely will it become necessary to consider suspension and/or revocation of Federal approval. For protection against the possibility of suspension and/or revocation, it is important that card holders be informed about the types of performance and conduct which may require consideration of such action. The following discussion provides such information, but it is not necessarily all-inclusive. Other examples of disqualifying performance and conduct can be inferred by comparison with those listed. Perhaps the best operating principle for the card holder to consider is this: Continuing Federal approval depends upon the card holder maintaining technical performance at an acceptable level of competence in accordance with prescribed standards and, at the same time, scrupulously avoiding any official or personal conduct which might impair or threaten ability or authority to so perform.

#### A. PERFORMANCE

1. Card holders are required to accomplish assigned inspection in accordance with the applicable provisions of the Federal Meat Inspection Act (FMIA), the Poultry Products Inspection Act (PPIA), the Meat Inspection Regulations, the Poultry Inspection Regulations, and supplementary instructions issued by the Federal agency.
2. The Federal agency will conduct such in-plant surveys at each establishment granted inspection under the cooperative agreement (and perform such other functions) as are necessary to assure that the facilities and operations and conduct of inspections at such establishments are in compliance with the applicable provisions of sources cited in the preceding paragraph.
3. Material deficiencies, failures or omissions in professional or technical performance required will be cause for consideration of **Authorization Card** suspension and/or revocation. .

#### B. CONDUCT

1. **Bribery.** Soliciting or accepting a bribe by a card holder in connection with the official duties is a criminal offense punishable by fine and imprisonment. A card holder who has been offered a bribe, or who knows of a case in which it is alleged or suspected that a bribe has been offered another card holder, or to a FSIS employee, shall immediately report the incident to the Office of the Inspector General (OIG). FSIS Form 1234-1,



Bribery Reporting Card (11/81), contains an emergency contact number that employees should use in reporting bribes. Cards may be requested through normal supervisory channels. Employees shall not disclose information about the incident without prior approval of OIG or the Federal Bureau of Investigation (FBI).

## 2. Relationships with Commerical Firms.

a. Acceptance by any card holder of any money, gift, or other things of value from the operator of any establishment granted inspection under the Federal-State Cooperative Agreement, or from any other establishment engaged in slaughtering livestock or poultry, or preparing meat, meat food products, poultry or poultry products, or from any employee or agent of any such establishment is prohibited and may be grounds for suspension or revocation of **Authorization Card** approval. The term "other things of value" is meant to include:

### (1) Gifts, Gratuities, Entertainment, and Favors.

(a) Acceptance of items, no matter how innocently offered or accepted, from "interested parties" may be a source of embarrassment to the State and Federal agencies and the employee involved; may effect the objective and impartial judgement of the employee; and may impair public confidence in the integrity of the employee and the service.

(b) An "interested party" is any person, firm, corporation, other entity, or individual acting on behalf thereof which conducts operations or activities that are regulated by the Agency or has interests that may be substantially affected by the performance or nonperformance of the official duty of the involved employee.

(c) Allowance is made for the occasional exchange of customary social courtesies that are free of any embarrassing or improper implications and are of trivial value (e.g., soft drink or cup of coffee) when the circumstances make it clear that the business of the interested party is not the motivating factor. However, the acceptance of all other gifts, gratuities, entertainment, or other things of value (including complimentary meals and beverages, tangible items, tickets, and passes) from interested parties is strictly prohibited and may be grounds for suspension and/or revocation of card approval.

### (2) Loans.

(3) **Services**, such as repair of personal automobile, use of establishment property or equipment for personal unofficial use of the card holder, etc.

(a). A card holder is not to perform inspection in or directly affecting any establishment which he/she has a financial interest.

(b). A card holder is not to perform inspection of any animal or poultry product or by-product in which he/she has a financial or proprietary interest.

b. Purchase of Product. Employees may not purchase products, personally or through another individual, from a plant or establishment regulated, inspected, or otherwise controlled by FSIS or by agents authorized as card holders under the authority of this Directive, if the employee performs a function related to the commodity or commodities dealt with or processed in any manner by the plant or establishment, without prior approval from the appropriate FSIS Regional Director or his designee.

### 3. Absense Without Permission.

a. Excessive tardiness without adequate justification will be reason for suspension of the Authorization Card.

b. A State employee's Authorization Card will be revoked if he/she is absent from assigned duty without permission for more than 15 work-days and (1) fails to be reached by or reply to communications, or (2) without adequate reason fails or refuses to return to duty after the State agency has communicated with him/her.

### 4. Personal Conduct.

a. A card holder found guilty of criminal, infamous, immoral, or notoriously disgraceful conduct which reflects upon the Federal agency is subject to revocation of Authorization Card.

b. If a card holder uses intoxicants while on official duty, or if the use of intoxicants causes interference with the performance of official duties, the Authorization Card may be suspended and/or revoked.

### 5. Falsification, Misuse, or Destruction of Official Reports or Property.

a. No card holder shall falsify any record or document relating to work under the cooperative agreement, nor conceal material facts by omissions from such records.

b. No card holder may remove, destroy, steal or obliterate any public record.

c. Any claim initiated by a card holder for reimbursement of money spent in travel, or for other purposes reimbursable under the terms of the cooperative agreement, shall be made with absolute accuracy and truthfulness.

d. A card holder may not appropriate any article of Federal property for his/her own use.

e. Except in emergencies threatening loss of life or property, no card holder shall use or permit the use of Federal property for any purpose other than performance of official work.

f. Use of federally-owned passenger-carrying motor vehicles is expressly prohibited, except as may be specifically authorized by a responsible Federal official.

6. **Outside Work.** The matter of whether or not outside work is to be allowed is for resolution between the card holder and the State agency which employs him/her. The interest and concern of the cooperating Federal agency has to do with assuring that any such outside work:

a. Does not interfere with the card holder's performance. This includes work which:

(1) Causes absence without proper authorization during duty hours, or

(2) Prevents him/her from performing effectively or at full capacity while on duty.

b. Does not in any way imply the Federal agency's official or unofficial sanction, support or participation in a private undertaking.

c. Does not entail or tend to give rise to criticism or bring about embarrassment to the Federal agency or the Federal service. For example, such a result could occur when the outside work is:

(1) Related closely to official duties. Such close relationship may tend to give an unfair competitive advantage over other persons engaged in private enterprise.

(2) Involved with a criminal, infamous, dishonest, immoral, or notoriously disgraceful activity.

d. Is in full compliance with State or other governmental laws and regulations. This applies to outside work which requires an official authorization or card. It includes the practice of law, veterinary medicine, pharmacy, real estate, etc.



e. Does not result in any conflict of interest or tend to bias official judgment. This applies whether the work is performed with or without compensation. Such work must avoid even the appearance of a conflict between official duties and outside interests. A conflict of interest can be presumed to arise if the work involves:

(1) Using official information to the detriment of the public service.

(2) Writing, discussing or otherwise commenting upon policies or official programs of the Federal agency except as authorized by specific regulations.

(3) Participating in the commercial activity of an organization which may use the person's name in advertising or otherwise commercialize on his/her official work as a card holder of the Federal agency.

7. **Restrictions on Political Activity.** Provisions of the Hatch Act (Hatch Political Activities Act of August 2, 1939, as amended; 5 U.S.C. 118 i) apply Federal political activity restrictions to those officers and employees of a State or local agency of a State (including a County) whose principal employment is in connection with an activity financed in whole or in part by Federal loans and grants. These restrictions are also enforceable by the United States Office of Personnel Management (OPM). **Federal Personnel Manual Supplementary 990-1, Chapter 15, Section 1502, outlines these restrictions as follows:**

a. A State or local officer or employee may not:

(1) Use his/her official authority or influence for the purpose of affecting the result of an election or a nomination for office.

(2) Directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

(3) Be a candidate for elected office.

b. A State or local officer or employee retains the right to vote as he/she chooses and to express his/her opinions on political subjects and candidates.

#### C. PROCEDURES FOR SUSPENSION OR REVOCATION

1. Whenever the regional director, or designee, determines that a State employee's Authorization Card must be suspended or revoked, the State

employee will be notified in writing. All reasons for the action and the procedures for appeal will be clearly stated.

2. Whenever the regional director, or designee, determines that a State employee's Authorization Card must be suspended or revoked, the employee has the right to request a review and modification of the determination by the Assistant Deputy Administrator for Meat and Poultry Inspection Operations. This request must:

a. Be in writing and forwarded, through the appropriate MPIO regional director, to the Assistant Deputy Administrator, MPIO, within 14 days of the State employee's notification of the determination.

b. Set forth all the facts and circumstances in support of the request for review and any alternative solutions the State employee thinks appropriate.

3. The decision of the Assistant Deputy Administrator, MPIO, or designee, is a final decision with no further appeal rights.

4. Until a final decision is made, the State employee will not be authorized to inspect under any FSIS cooperative agreement with the State.



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, D. C.

# FSIS NOTICE

1-85

1/14/85

## CHANGE OF DESTINATION LABORATORIES FOR CERTAIN SAMPLES

This notice is to inform FSIS personnel of the change of destination laboratories for certain import and domestic non-residue food chemistry samples. The change of destination is to reduce transshipment of samples among Field Service Laboratories and balance the workload with the available staffing resources.

The samples for laboratory inspection should be forwarded to the following laboratories according to the territory indicated:

### FIELD SERVICE LABORATORIES

LABORATORY AND CODE	ADDRESS	TERRITORY COVERED
WESTERN LABORATORY, San Francisco, CA Chemistry (601). All services are provided.	Mr. James Hess Chemist-in-Charge USDA, FSIS, SCIENCE Western Laboratory P.O. Box 2423 San Francisco, CA 94126	AK, AS, CA (ONLY PORTS OF ENTRY AND DESTINATION INSPECTION PLANTS IN OAKLAND AND SAN FRANCISCO - i.e. I 61, I 70 AND I 72) GU, HI, MN, ND, SD, WI;
California State Contract Laboratory (626). Only Domestic and Import non-residue food chemistry services are provided.	Mr. Roland Himley California Department of Agriculture Division of Inspection Services, Meat Laboratory 3292 Meadow View Rd. Sacramento, CA 95823	AZ, CA (EXCEPT PORTS OF ENTRY AND DESTINA- TION INSPECTION PLANTS IN OAKLAND AND SAN FRANCISCO - i.e. I 61, I 70, and I 72), ID, MT, NE, NV, OK, OR, TX, UT, WA, WY;
MIDWESTERN LABORATORY, St. Louis, MO Chemistry (2901). All services are provided.	Ms. Carolyn Henry Chemist-in-Charge USDA, FSIS, SCIENCE Midwestern Laboratory Bldg. 105D, Rm 344 4300 Goodfellow Blvd. St. Louis, MO 63120	CO, KS, LA, MI, MO, NM;

**DISTRIBUTION:** All MPI Off.,  
T/A Inspectors, Plant  
Management, T/A Plant  
Management, Science &  
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**NOTICE EXPIRES:** 1/1/86

**OPI:** SCI/FSLD



LABORATORY AND CODE	ADDRESS	TERRITORY COVERED
Kentucky State Contract Laboratory (2126). Only Domestic and Import non-residue food chemistry services performed.	Mr. Ernest Collins Kentucky State Contract Laboratory Department of Agriculture, 613 Teton Trail Frankfort, KY 40601	DC, DE, IL, IN, KY, MD, NJ, OH, PA, TN VA, WV;
EASTERN LABORATORY Athens, GA Chemistry (1301). All services performed.	Mr. R. W. Woods Chemist-in-Charge USDA, FSIS, SCIENCE Eastern Laboratory P.O. Box 6085 Athens, GA 30604	AL, FL, GA, MA, ME, MS, NC, NH, PR, VI, VT;
Contract Chemistry Laboratory, Webb Foodlab, Inc. (3777). Only Domestic and Import non-residue food chemistry services performed.	Dr. Neil Webb Webb Foodlab, Inc. 703 West Johnson St. Raleigh, NC 27603	AR, CT, IA, NY, RI, SC.

This instruction does not apply to accredited laboratory (split, companion) samples or letter mail. Inspectors should continue to follow the current MPIO procedures for these samples.

This change is effective upon receipt of this Notice and will remain in effect 1 year or until rescinded by the Director, FSLD.



*W. S. Horne*  
Deputy Administrator  
Meat and Poultry Inspection Operations



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, D. C.

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# FSIS NOTICE

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2-85

1/14/85

## USE OF PROTEIN FAT FREE STANDARDS AND LABELS PRIOR TO APRIL 15, 1985

This Notice is based on the Federal Register Notice of 12/7/84, and does two things. First, it cancels FSIS Notice 70-84, dated 10-24-84. Second, it conveys the latest change in policy regarding switching to process monitoring by the protein fat free (PFF) regulation.

Since publishing the August 23, 1984, Federal Register Notice and subsequently issuing FSIS Notice 70-84, the Agency has received requests to allow processors to voluntarily produce any cured pork product in accordance with the PFF regulation, and to allow them to declare on the label that the products meet the PFF requirements.

Therefore, effective December 15, 1984, processors may begin marketing any cured pork product authorized by the PFF regulation. However, those products which are not controlled by §319.104 and §319.105 must be produced under the PFF regulation and such products must comply with all provisions of the PFF regulation. This means that new products (e.g., canned ham, water added) permitted by the PFF regulation may, in fact, be produced after December 15, 1984.

In order to verify compliance with the PFF regulation, processors must do one of following two things:

1. Provide the Regional Director (RD) a list of cured pork products which they plan to prepare under the PFF regulation. Products not so identified will remain under the current system. The RD will forward the list to Processed Products Inspection Division, MPITS, for inclusion in the FSIS Compliance Monitoring System.
2. Get FSIS's prior approval for a quality control (QC) program for the product(s) they plan to prepare under the PFF regulation. The QC programs may be a "partial program," "total system," or an amendment to a "total system." Submittals for approval must move through the usual channels.

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**NOTICE EXPIRES:** 1/1/86

**OPI:** MPITS/PPID

If the labeling for the product(s) is approved, but the transmittal form has been stamped "Not To Be Used Prior To April 15, 1985," satisfying either of the two above conditions will override that prohibition.

Because of this change in policy, certain answers to questions in FSIS Notice 68-84, dated 10-16-84, must be changed. The affected questions and new answers are:

I. Labeling and Standards

1. **Question:** When will Standards and Labeling Division start approving PFF labels?

**Answer:** Anytime. The labels for new products will be stamped on the transmittal form (FSIS 8822-1) with the statement "MUST NOT BE USED UNTIL APRIL 15, 1985." (See FSIS Notice 70-84.) Effective December 15, 1984 these labels may be used if the processor is operating in accordance with this Notice.

5. **Question:** Will starbursts be approved that refer to the product meeting the requirements of the PFF regulations?

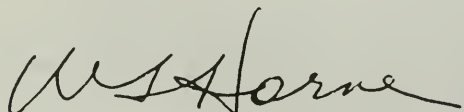
**Answer:** Yes, if truthful, after December 15, 1984.

16. **Question:** If a processor is currently processing a product which meets the PFF standard for a "more advantageous label," such as water added product which would meet the standard for "natural juices" product under the PFF regulation, can the processor label that product as a "natural juices" product under the PFF regulation?

**Answer:** Yes, after December 15, 1984.

18. **Question:** Can new products be marketed before the April 15, 1985 implementation date?

**Answer:** Yes. New products (those not currently allowed by §319.104 and §319.105) can be marketed before April 15, 1985, if a processor wants to switch to the PFF compliance system on or after December 15, 1984, provided all other requirements of the PFF regulation are also adopted (e.g., the labeling requirements). This policy was published in the Federal Register on December 7, 1984.



*Acting* Deputy Administrator  
Meat and Poultry Inspection Operations

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, D. C.

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**FSIS NOTICE**

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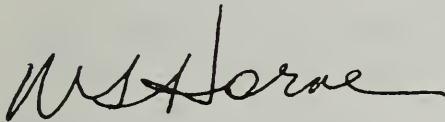
3-85

1-30-85

ITALY SUSPENDS POULTRY SHIPMENTS  
FROM THE UNITED STATES

*Italian officials have informed us that they no longer will accept shipments of poultry from the United States.*

*We will keep you advised as further information becomes available to us.*



Deputy Administrator *Acting*  
Meat and Poultry Inspection Operations

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**DISTRIBUTION:** ~~ALL MPI~~ Offices, Plant Management  
T/A Inspectors and Plant  
Management, Science and  
Compliance Offices

**NOTICE EXPIRES:**

1-30-86

**OPI:** Export Coordination Division,  
IP





UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, D. C.

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# FSIS NOTICE

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4-85

1-30-85

## REPORTING OF OBSOLETE LABELS

This Notice is intended to reiterate and clarify procedures for reporting of obsolete labels as required by Section 317.14 of the meat regulations and Section 381.141 of the poultry product regulations.

When the inspector is notified by plant management that a product label is no longer used, or when the inspector is notified by the Standards and Labeling Division that a label is no longer approved, the inspector will:

1. Remove the transmittal sheet which has the official label approval number on it from the official file, date it, write "RESCINDED" on the sheet and forward the single copy to the Standards and Labeling Division for data recording.
2. Remove the label and any other copies of the transmittal sheet from the official file and return them to plant management.



Deputy Administrator  
Meat and Poultry Inspection Operations

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T/A Inspectors, Plant  
Management/T/A Plant  
Management, Science &  
Compliance Offices

**NOTICE EXPIRES:**  
1-30-86

**OPI:** MPITS/SLD





UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
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# FSIS NOTICE

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5-85

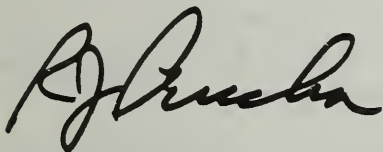
1-30-85

## REQUEST FOR FSIS ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

Personnel from other government agencies (e.g., AMS, FNS, APHIS, PSA, FDA, etc.) will sometimes request FSIS assistance to collect samples, record temperatures, provide dispositions on questionable U.S. Inspected and Passed products, and to possibly even act on behalf of these agencies in other specific situations.

When such requests are made, FSIS supervisors are authorized to accommodate them provided that they are reasonable and that FSIS personnel are available to perform the requested tasks. A Memorandum of Understanding or a reimbursable agreement must exist between FSIS and the requesting Agency. FSIS supervisors should contact regional offices for guidance.

FSIS Directives 1210.1, 1210.2, 5110.1, 5110.2 or 5110.3 shall be used as a guide whenever the above services are provided.



Deputy Administrator  
Meat and Poultry Inspection Operations

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**DISTRIBUTION:** All MPI Offices  
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Offices

**NOTICE EXPIRES:**

1-30-86

**OPI:**

Meat and Poultry Inspection  
Operations

EXHIBIT - A  
10115A 8123

IN SENATE  
January 10, 1912

REPORT  
OF THE  
COMMISSIONERS OF THE LAND OFFICE  
IN RESPONSE TO A RESOLUTION  
PASSED BY THE SENATE  
MAY 1, 1911

ALBANY:  
J.B. LIPPINCOTT COMPANY  
1912

*[Signature]*  
Commissioner of the Land Office

☐ DIRECTIVE

☐ REVISION

☐ AMENDMENT

☒ OTHER

## CHANGE TRANSMITTAL SHEET

Change 84-10 to  
Meat and Poultry Inspection Manual

84-10

12-7-84

### I PURPOSE

This document transmits an updated index to the MPI Manual.

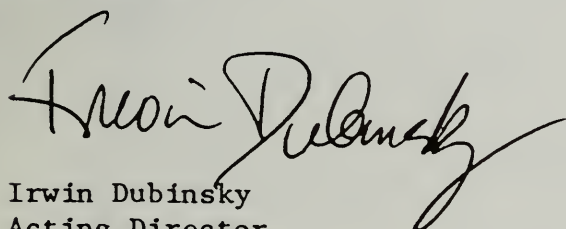
### II CHANGES

Remove  
Pages 295 through 329

Insert  
Pages 295 through 328

### III CANCELLATION

This change transmittal is cancelled when contents have been incorporated into the MPI Manual.



Irwin Dubinsky  
Acting Director  
Regulations Office  
Policy and Program Planning

Attachment

The last Manual Change was 84-9 dated November 1984.

DISTRIBUTION: M91, M93, M94, M95,  
S03, CM3, ABB,

OPI: PPP/RO



THE ATTORNEY GENERAL

1874

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